

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC., PRODUCTS LIABILITY  
LITIGATION

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MDL No.: 2419

Master Docket No.: 1:13-md-2419-FDS

THIS DOCUMENT RELATES TO:

All actions.

## DECLARATION OF PATRICK T. FENNEL

Patrick T. Fennell declares, under penalty of perjury on the date identified below, as follows:

1. I am an attorney on the Plaintiffs Steering Committee “(PSC)” in the above-styled lawsuit (the “MDL”). I make this declaration as part of the PSC’s Notice of Filing of List of Objecting Subpoena Recipients With Documented Patient-Victims, filed contemporaneously herewith (the “Notice”). I was the member of the PSC principally charged with collecting the information as reflected in the Notice and make this declaration in support of the aforementioned Notice.

2. The Notice contains information learned through a search of federal and state court records and other sources of publicly available information.

3. Further, 1, or other members of the PSC, communicated with many plaintiffs' attorneys throughout the country that represent patients who are or will likely become plaintiffs in lawsuits alleging injury from exposure to a tainted product manufactured by New England Compounding Pharmacy. These attorneys represented that they had sent notices of claim, letters of representation, or similar communications to the healthcare providers reflected in the Notice as receiving such notices.

4. The Notice is not meant to be a comprehensive list but reflects the best efforts of the PSC to identify the subpoena recipients subject to the Court's November 13, 2013 Order (Doc. 572) to produce documents because the subpoena recipient has a patient who: 1) has filed suit in federal or state court relating to NECC medications; 2) has a case currently pending in the MDL; or 3) has sent the subpoena recipient a notice of a claim, letter of representation or similar communication concerning a claim relating to NECC medications.

Executed on this 20th day of November, 2013, in Nashville, Tennessee.

  
Patrick T. Fennell